

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 2570

IN THE MATTER OF:

Served June 26, 1984

Application of DAN JENKINS)
T/A JENKINS TRANSPORTATION SERVICE)
for a Certificate of Public)
Convenience and Necessity --)
Special Operations)

Case No. AP-84-30

By application filed June 21, 1984, Dan Jenkins trading as Jenkins Transportation Service seeks a certificate of public convenience and necessity to conduct special operations, transporting transportation disadvantaged persons together with their attendants and baggage, between points in the Metropolitan District (except between points solely in Virginia).

Applicant currently holds WMATC Certificate No. 44, which authorizes the following operations:

IRREGULAR ROUTES

SPECIAL OPERATIONS, round-trip or one-way, transporting persons confined to wheelchairs:

Between medical treatment facilities located in the Metropolitan District, on the one hand, and, on the other, points in the Metropolitan District.

RESTRICTIONS: The service authorized herein is restricted to the transportation of non-ambulatory participants in the Medicaid program of the District of Columbia, and is further restricted to transportation in van-type vehicles specially equipped with ramps and mechanical devices for securing wheelchairs in transit.

The purpose of the instant application is to remove the restrictions on the applicant's existing authority. At present, the applicant may transport only passengers who are confined to wheelchairs and who participate in the District of Columbia Medicaid program. Further, the applicant must use specially-equipped vans, and may only handle trips which begin or end at a medical treatment facility. If this application were granted, the applicant would be able to transport any passenger who is "transportation disadvantaged," whether confined to a wheelchair or not, in any type of equipment, between any origin and destination in the Metropolitan District.

Applicant's proposed tariff indicates a flat rate of \$25 for one-way trips and \$40 for round trips inside the Capital Beltway. For trips outside the Capital Beltway, applicant would charge the flat rate plus \$1 per mile traveled outside the Beltway. The applicant's projected operating statement indicates that the additional passenger traffic to be transported at the proposed rates would yield an additional \$20,000 in yearly gross income and raise the applicant's net operating income by more than 9 percent.

Applicant's equipment list submitted with the application shows three vans capable of seating 8 passengers each. All are equipped with wheelchair tie-downs and one also is equipped with an hydraulic lift. The applicant's projected operating statement indicates no plans to acquire additional equipment if this application is granted.

To arrive at a determination as to whether a certificate of public convenience and necessity should issue, the Compact requires an applicant to prove: (1) that the public convenience and necessity require the proposed service, and (2) that applicant is operationally fit to offer the service and will abide by all pertinent regulatory requirements. For this purpose, a public hearing will be scheduled. Applicant will be assessed an amount preliminarily estimated to cover hearing costs.

THEREFORE, IT IS ORDERED:

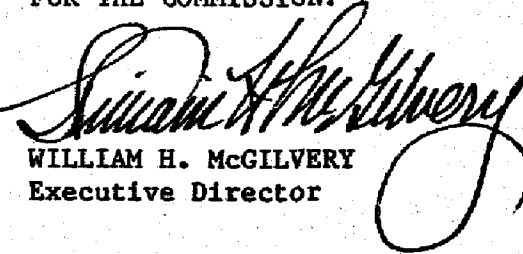
1. That a public hearing in Case No. AP-84-30 is hereby scheduled to commence on Tuesday, August 21, 1984, at 9:30 a.m. in the Hearing Room of the Commission, 1625 I Street, N.W., Room 314, Washington, D.C. 20006.

2. That Dan Jenkins trading as Jenkins Transportation Service shall publish once in a newspaper of general circulation in the Metropolitan District, and shall post continuously and conspicuously in each of his vehicles through the date of public hearing, notice of the application docketed as Case No. AP-84-30 and the hearing thereon, in the form prescribed by the Commission, no later than Monday, July 23, 1984, and shall present at the hearing an affidavit of publication from the selected newspaper.

3. That any person desiring to protest the application docketed in Case No. AP-84-30 shall file a protest in accordance with Commission Rule No. 14, or any person desiring to be heard on this matter shall so notify the Commission, in writing, no later than Thursday, August 9, 1984, and shall simultaneously serve a copy of such protest or notice on counsel for applicant, Joel C. Weingarten, Esquire, Suite 1200, 1000 Connecticut Avenue, N.W., Washington, D.C. 20036.

4. That applicant is hereby assessed \$400 pursuant to Title II, Article XII, Section 19 of the Compact, and is directed to deliver said amount to the office of the Commission, 1625 I Street, N.W., Suite 316, Washington, D.C. 20006, no later than 12 noon on Thursday, August 9, 1984.

FOR THE COMMISSION:



WILLIAM H. MCGILVERY
Executive Director